

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JOHN M. MCDOWELL, JR.,

Plaintiff,

vs.

Civ. No. 20-153 RB/KK

RIO RANCHO POLICE DEPARTMENT  
*et al.*,

Defendants.

**ORDER ADOPTING JOINT STATUS REPORT AND  
PROVISIONAL DISCOVERY PLAN WITH CHANGES AND  
SETTING CASE MANAGEMENT DEADLINES**

THIS MATTER came before the Court at a Telephonic Rule 16 Initial Scheduling Conference held on June 11, 2020. Following a review of the attorneys' Joint Status Report and Provisional Discovery Plan (Doc. 15), filed June 1, 2020, and after conferring with counsel, the Court adopts the Joint Status Report and Provisional Discovery Plan modified as follows:

- a) Maximum of 50 Interrogatories per side, with responses due 60 days after service;
- b) Maximum of 50 Requests for Production per side, with responses due 60 days after service;
- c) Maximum of 50 Requests for Admission per side, with responses due 60 days after service;
- d) Maximum of 20 depositions by Plaintiff and 20 by Defendants; and,
- e) Depositions, except for the depositions of parties and experts, are limited to a maximum of 5 hours unless extended by agreement of the parties.

The following case management deadlines have been set:

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| a) | Deadline for Plaintiff to amend and join additional parties by written consent or to seek the Court's leave to amend and join additional parties in compliance with Fed. R. Civ. P. 15(a)(2):  | August 11, 2020                          |
| b) | Deadline for Defendants to amend and join additional parties by written consent or to seek the Court's leave to amend and join additional parties in compliance with Fed. R. Civ. P. 15(a)(2): | September 11, 2020                       |
| c) | Plaintiff's Rule 26(a)(2) expert disclosures <sup>1</sup> :  | October 15, 2020                         |
| d) | Defendants' Rule 26(a)(2) expert disclosures <sup>1</sup> :  | December 7, 2020                         |
| e) | Termination date for discovery <sup>2</sup> :  | June 11, 2021                            |
| f) | Motions relating to discovery to be filed by <sup>3</sup> :  | July 1, 2021                             |
| g) | Pretrial motions other than discovery motions (including motions which may require a <i>Daubert</i> hearing) filed by:   | July 12, 2021                            |
| h) | Pretrial Order: Plaintiff to Defendants by:<br>Defendants to Court by:   | September 14, 2021<br>September 28, 2021 |

Parties may not modify case management deadlines on their own. Good cause must be shown and the Court's express, written approval obtained for any modification of the case management deadlines set forth herein. Any requests for additional discovery must be submitted to the Court by motion before the discovery deadline expires. The parties must supplement their disclosures or discovery responses pursuant to Fed. R. Civ. P. 26(e)(1) within twenty-one (21)

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<sup>1</sup> Parties must disclose the names of all expert witnesses, the subject matter on which the experts will present evidence, and a summary of the facts and opinions to which the experts are expected to testify by this date. Experts who are retained or specifically employed to provide expert testimony must also submit an expert report by this date. *See* Fed. R. Civ. P. 26(a)(2). The parties must have their retained expert(s) ready to be deposed at the time they identify them and provide their reports. Expert witnesses who are not required to provide a written report may be deposed before summary disclosure.

<sup>2</sup> Discovery must be completed on or before this deadline.

<sup>3</sup> This deadline should not be construed to extend the twenty-one-day time limit in D.N.M.LR-Civ. 26.6.

days of learning any disclosure or response is incomplete or incorrect. After the close of discovery, parties must supplement their disclosures or discovery responses as soon as possible, but no later than three (3) days after learning of the need to supplement.

The Court will hold a Telephonic Discovery Status Conference on **Tuesday, January 12, 2021 at 10:30 a.m.**, and will also hold a Telephonic Status Conference to discuss the scheduling of a Rule 16 Settlement Conference on **Thursday, April 8, 2021 at 10:30 a.m.** Counsel are to call the Court's AT&T conference line at (877) 848-7030 and enter the access code 7324132 to connect to these status conferences.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kirtan Khalsa", written over a horizontal line.

KIRTAN KHALSA  
UNITED STATES MAGISTRATE JUDGE